

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CONVOLVE, INC.

vs.

DELL, INC., ET AL


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CASE NO. 2:08-CV-244-CE

ORDER

Pending before the court is defendant Western Digital Corp's ("Western Digital") supplemental motion in limine to limit references to the Censtor Licenses by Plaintiff and its damages expert, Mr. Bruce McFarlane (Dkt. No. 467). Having carefully reviewed the parties' arguments and Mr. McFarlane's expert report, the court DENIES Western Digital's motion. The court, however, notes that if Plaintiff establishes the comparability of the Censtor Licenses in front of the jury, it will render the licenses admissible for all purposes.

SIGNED this 19th day of July, 2011.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE